

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

ALFONSO BISACCA	§	
Plaintiff,	§	
	§	
vs.	§	CIVIL ACTION NO.
	§	_____
PILOT TRAVEL CENTERS, LLC d/b/a	§	
PILOT TRAVEL CENTERS #433,	§	
Defendant.	§	

**AFFIDAVIT OF MARK NICHOLS**

STATE OF TENNESSEE	§
	§
COUNTY OF KNOX	§

BEFORE ME, the undersigned authority, on this day personally appeared Mark Nichols, who being duly sworn, stated under oath as follows:

1. "My name is Mark Nichols. I am over the age of 21 years and I am fully competent to testify to the matters stated in this affidavit. I have personal knowledge of the facts set forth in this affidavit, which are true and correct.
2. I am the liability claims supervisor for Pilot Travel Centers, LLC ("Pilot"), which operates a chain of travel centers across the USA and Canada. In that position, I am familiar with the organizational structure and citizenship of Pilot, including but not limited to the business operations of Pilot and its members.
3. Pilot is a defendant in a case styled Cause No. CC-17-05772-A; *Alfonso Bisacca vs. Pilot Travel Centers, LLC d/b/a Pilot Travel Centers #433*, filed in the County Court at Law No. 1, Dallas County, Texas. Pilot's registered agent in Texas, CT Corp System-Dallas, was served with a Petition and citation in the above-referenced case on November 3, 2018. Pilot filed its answer in that case on November 27, 2017.

4. Pilot does not "do business as" Pilot Travel Centers #433 as stated in Plaintiff's Petition. Pilot owns and operates a travel center in Dallas, Texas, and this location is commonly referred to as Store #433.

5. Pilot is a limited liability company organized and existing under the laws of State of Tennessee. Pilot is composed of four members: (a) National Indemnity Company; (b) Pilot Corporation; (c) BDT I-A Plum Corporation; and (d) FJM Investments, LLC.

6. National Indemnity Company is a Nebraska corporation. The officers and decision makers of National Indemnity Company direct, control and coordinate the business activity of National Indemnity Company from the company's headquarters in Omaha, Nebraska.

7. Pilot Corporation is a Tennessee corporation. The officers and decision makers of Pilot Corporation direct, control and coordinate the business activity of Pilot Corporation from the company's headquarters in Knoxville, Tennessee.

8. BDT I-A Plum Corporation is an Illinois corporation. The officers and decision makers of BDT I-A Plum Corporation direct, control and coordinate the business activity of BDT I-A Plum Corporation from locations within the state of Nebraska.

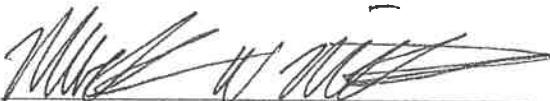
9. FJM Investments, LLC is a Utah limited liability company composed of one member, FJ Management, Inc. FJ Management Inc. is a Utah corporation. The officers and decision makers of FJ Management Inc. direct, control and coordinate the business activity of FJ Management Inc. from the company's headquarters in Ogden, Utah.

10. Plaintiff's Petition filed in the above-referenced case states that she is a resident of California and holds a California driver's license.

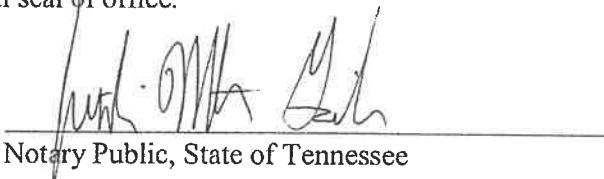
11. No member of Pilot is a citizen of Texas or California. No member of FJM Investments, LLC, is a citizen of Texas or California.

12. The information provided above in Paragraphs 1-12 was the same on the date the above-referenced lawsuit was filed and the date when Pilot filed its Notice of Removal.

FURTHER AFFIANT SAYETH NOT."

  
Mark Nichols

SUBSCRIBED AND SWORN TO BEFORE ME on this 30th day of November, 2017,  
to certify which witness my hand and official seal of office.

  
Notary Public, State of Tennessee

My commission expires:

6/1/21

